

UNITED STATES DISTRICT COURT

Southern

District of

New York

Betty M. Cyr

SUMMONS IN A CIVIL ACTION

V.

Merck & Company, Inc.

CASE NUMBER:

TO: (Name and address of Defendant)

Merck & Company, Inc.
C/O CT Corporation System
111 Eighth Ave.
New York, New York 10011

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Laura V. Yaeger
Fleming & Associates
1330 Post Oak Blvd.
Suite 3030
Houston, Texas 77056
713-621-7944
713-621-9638 (Fax)

an answer to the complaint which is served on you with this summons, within twenty days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

08 CIV 4178

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE May 12, 2008 at 1:00 PM	
NAME OF SERVER (PRINT) Sunbelt/ Henry Moss	TITLE Licensed Process Server	NYC Lic. No. 0870001
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon the defendant. Place where served:		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input checked="" type="checkbox"/> Other (specify): Personal service on Sabrina Ambrose a person authorized to accept for the CT Corporation System, the Registered Agent of Merck & Co., the defendant in the within action Service was executed at 111 Eighth Avenue, New York, NY 10011		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$78.50
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.		
Executed on <u>May 12, 2008</u> <small>Date</small>	<u>Henry Moss</u> <small>Signature of Server</small>	
	Sunbelt Reporting Service 6575 West Loop South, Suite 580, Bellaire, TX 77401 <small>Address of Server</small>	

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.